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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 3, 2001

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE010298

Ex Parte: In the matter of
establishing rules and regulations
pursuant to the Virginia Electric
Utility Restructuring Act for
competitive metering services

ORDER INVITING COMMENTS

The Commission instituted this proceeding on May 15, 2001, for the purpose of promulgating rules and regulations as may be necessary to implement the provisions of § 56-581.1 of the Code of Virginia concerning competitive metering services. We directed the Commission Staff to invite representatives of interested parties to participate in a work group to assist the Staff in advising the Commission on how best to proceed with our rulemaking obligations under § 56-581.1 F.

In addition we directed investor-owned electric distribution utilities to file on or before May 30, 2001, their intended schedule for implementing competitive metering services in their respective service territories. Filings were made by The Potomac Edison Company d/b/a Allegheny Power, Virginia

Electric and Power Company ("Dominion Virginia Power"), Delmarva Power & Light Company ("Delmarva"), Appalachian Power Company d/b/a American Electric Power ("AEP"), and Kentucky Utilities Company d/b/a Old Dominion Power Company ("KU/ODP"). Allegheny Power, Dominion Virginia Power, and Delmarva requested a delay in implementing competitive metering within their distribution service territories until January 1, 2003, for large industrial and large commercial customers, and after January 1, 2004 for residential and small business customers.

In a supplemental filing on July 3, 2001, AEP stated that it would not press for the issuance of competitive metering rules by January 1, 2002. However it requested that the Commission not foreclose the possibility that early entrants into the competitive metering market could be accommodated under the Company's existing tariffs between January 1, 2002, and January 1, 2003.

KU/ODP requested a delay in the implementation of competitive metering services until January 1, 2004, consistent with the approved schedule for transition to retail choice in Virginia.

The Commission Staff filed its Interim Staff Report Presenting Recommendations on Further Proceedings for Promulgating Proposed Rules on July 16, 2001. As detailed in its Interim Report, the Staff proposes a phased-in approach to

competitive metering over several stages as demand materializes for additional services that may enhance the development of effective competition in electricity service, and as new technologies that may provide additional value to customers become available.

The first phase of the Staff's proposal, to be implemented by January 1, 2003, focuses on the provision of a range of customer choices with respect to meter functionality in terms of data access and availability at reasonable cost. While this first phase generally would not provide for the non-utility retail provision of unbundled metering services, the Staff proposal envisions on-going experimentation and the continued monitoring of metering market development for purposes of determining subsequent implementation phases.

The Staff proposes a continuation of the working group assembled in this matter, with a draft of proposed rules for the first stage of the phased-in approach to competitive metering being filed with the Commission by February 14, 2002.

The Commission is of the opinion that the parties should have an opportunity to file comments on the Interim Staff Report, and on the utilities' filings concerning their intended schedule for implementing competitive metering services.

Accordingly, IT IS ORDERED THAT:

(1) On or before August 21, 2001, parties to this proceeding may file with the Clerk of the Commission comments in response to the Interim Staff Report presenting recommendations on further proceedings for promulgating proposed rules, and on utilities' filings concerning their intended schedule for implementing competitive metering services.

(2) This matter is continued for further orders of the Commission.